



07-07-04

Atty. Dkt. No. 032016-0128

1f CFB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Majchrzak et al.

Title: FOOD CONTAINER

Appl. No.: 10/763,726

Filing Date: 01/23/2004

Examiner: Pelham, Joseph Moore

Art Unit: 3742

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 458019718 US (Express Mail Label Number)	7/6/04 (Date of Deposit)
Carolyn Simpson (Printed Name)	
 (Signature)	

REPLY TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a reply in the above-identified application.

Also enclosed:

- Replacement Drawing Sheets (3 sheets)
- Information Disclosure Statement (3 pages)
- Form PTO/SB/08 (2 pages) and 34 Listed References
- Declaration of David Rolston (4 pages)
- Check in the amount of \$180.00 for Information Disclosure Statement

Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

[X] The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For	=	Extra Claims Present	x	Rate	=	Additional Claims Fee
Total Claims:	16	-	41	=	0	\$18.00	=	\$0.00
Independent Claims:	3	-	8	=	0	x	\$86.00	\$0.00
First presentation of any Multiple Dependent Claims:				+		\$290.00	=	\$0.00
						CLAIMS FEE TOTAL	=	\$0.00

[] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[] Extension for response filed within the first month:	\$110.00	\$0.00
[] Extension for response filed within the second month:	\$420.00	\$0.00
[] Extension for response filed within the third month:	\$950.00	\$0.00
[] Extension for response filed within the fourth month:	\$1,480.00	\$0.00
[] Extension for response filed within the fifth month:	\$2,010.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
[] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
[X] Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		\$0.00

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

July 6, 2004

By

Scott C. Nielson

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5718
Facsimile: (414) 297-4900

Scott C. Nielson
Attorney for Applicant
Registration No. 50,755